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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,185	12/31/2001	Lee E. Cannon	5062US (01-01-086-02)	7205
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TRASK BRITT P.O. BOX 2550 SALT LAKE CITY, UT 84110			EXAMINER COBURN, CORBETT B	
			ART UNIT	PAPER NUMBER
			3714	
			DATE MAILED: 10/28/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/039,185

Applicant(s)

CANNON, LEE E.

Examiner

Corbett B. Coburn

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other: .

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Slot Machine In Which The Player May Choose Paylines After A Partial Result Has Been Obtained.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 8-12, 14-20, 22-25, 30-35 & 44 are rejected under 35 U.S.C. 102(b) as being anticipated by Kojima (GB 2,316,214).

**Claim 1:** Kojima teaches a method of conducting a gaming activity – i.e., playing a slot machine. Page 3 describes placing at least one wager for play of a reel-type slot machine game. The game then generates and displays at least one partial outcome in said reel-type slot machine game – the reels along the center payline stop. Kojima teaches selecting at least one pay line (the second payline) and generating a final outcome in said reel-type slot machine game.

**Claim 2:** Kojima teaches gaming activity is conducted on a device comprising either an electronic reel-type slot machine device or a mechanical reel-type slot machine device.

The last paragraph of page 3 describes a video slot machine. This is an electronic reel-type slot machine. Page 7 discloses mechanical reel-type slot machines.

**Claim 3:** Kojima teaches that the gaming activity is conducted on an electronic slot machine device (i.e., a slot machine). There are a plurality of gaming sequences enabling a display of at least one partial outcome in combination with selection of at least one pay line. The reels along the centerline stop. This is a partial outcome. Then a player may bet on a single additional reel forming an additional payline. This allows a player to select one gaming sequence from said plurality of gaming sequences. The process may be repeated until 27 paylines are selected. (Page 4)

**Claim 4:** Kojima teaches that a player selects a number of wagers to be placed during one play of said reel-type slot machine game. The player may choose whether or not to continue betting on additional paylines.

**Claim 5:** On page 4, Kojima teaches that a player may select a number of partial outcomes to be displayed during one play of said reel-type slot machine game. (Page 11, Figs 6 & 7)

**Claim 6:** Kojima teaches selecting said at least one pay line in said reel-type slot machine game after display of said at least one partial outcome. (Page 4)

**Claim 8:** Kojima teaches selecting said at least one payline from a plurality of pay lines, wherein said at least one pay line comprises at least one window selected from a plurality of windows, wherein said windows are arranged in a combination of rows and columns. (Figs 1-8)

**Claim 9:** Kojima's windows display indicia. Figs 7 & 8 show that it is possible to select every pay line that passes through selected indicia displayed in said at least one window. For instance, every payline that passes through box h may be selected.

**Claim 10:** Kojima teaches sequentially selecting windows from a plurality of windows, wherein said windows comprise said at least one pay line. (Page 11)

**Claim 11:** Kojima teaches that the at least one partial outcome and at least one pay line comprise a display of indicia in at least one window selected from a plurality of windows (Figs 1-8). The player is allowed to select the display of said at least one partial outcome and said at least one pay line by selecting at least one window. (Page 11)

**Claim 12:** Kojima teaches displaying said at least one partial outcome and said final outcome of said reel-type slot machine game on a video display. (Page 3)

**Claim 14:** Kojima teaches said at least one partial outcome and said final outcome comprise, at least in part, a display of indicia in at least one window of a plurality of windows. (Figs 1-8)

**Claim 15:** Kojima teaches arranging said plurality of windows in rows, columns, or a combination of rows and columns. (Figs 1-8)

**Claims 16 & 17:** Kojima teaches the display of said at least one partial outcome comprises all the windows in one row – i.e., the center row. This is equivalent to the partial outcome being all the windows in one column.

**Claim 18:** Kojima teaches the display of said at least one partial outcome comprises at least one randomly selected window. (Page 11) Each new window is a partial outcome and the window may be arbitrarily (i.e., randomly) selected.

**Claim 19:** Kojima teaches that a player may select at least one window for display of said at least one partial outcome. (Page 11)

**Claim 20:** Kojima teaches a gaming machine, comprising: a gaming device configured for randomly generating at least one partial outcome and a final outcome in a reel-type slot machine game; a display device for displaying said at least one partial outcome and said final outcome of said reel-type slot machine game; and at least one player input element to enable selection of at least one pay line in said reel-type slot machine game after a display of said at least one partial outcome. (Pages 3 & 11) Page 11 says the player may choose which paylines to display. This implies an input element.

Furthermore, the player places another wager for each payline. This is also an input element.

**Claim 22:** Kojima teaches the display device includes at least one window. (Figs 1-8)

**Claim 23:** Kojima teaches that the at least one partial outcome comprises a display of an indicia in said at least one window. (Fig 2 shows the first partial outcome.)

**Claim 24:** Said final outcome comprises a display of indicia in each window of a plurality of windows. (Fig 3 shows a final outcome.)

**Claim 25:** On page 2, Kojima teaches a microprocessor (i.e., a programmable controller) for generating said at least one partial outcome and said final outcome.

**Claim 30:** The at least one player input element is further configured to enable selection of a display configuration for at least one partial outcome. The player may choose the next payline to be displayed. (Page 11)

**Claims 31 & 32:** The display device is configured with a display output comprising a plurality of windows arranged in rows and columns. (Figs 1-8)

**Claim 33:** The display of said at least one partial outcome is at least one of a row of windows, a column of windows, a random selection of said at least one window and a selection by a player of said at least one window. (Pages 3 & 11)

**Claim 34:** A configuration for said display of said at least one partial outcome is selected by a player – the player may choose the next payline to display. Each payline (until the last) is a partial outcome. (Page 11)

**Claim 35:** The gaming device is further configured for enabling a player to select at least one pay line from a plurality of pay lines in said reel-type slot machine game. (Page 11)

**Claim 44:** Kojima teaches a method of conducting a gaming activity, comprising: placing at least one wager for play of a reel-type slot machine game; generating and displaying at least one partial outcome in said reel-type slot machine game; altering at least one parameter associated with generation of a final outcome in said reel-type slot machine game (i.e., choosing another payline); and generating a final outcome in said reel-type slot machine game. (Page 3)

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3714

5. Claims 7, 26-29 & 36-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kojima as applied to Claims 1, 20 in view of Falciglia (US Patent Number 5,971,849).

**Claim 7:** Kojima teaches the invention substantially as claimed, but does not teach providing a time limit for selecting said at least one pay line. Casinos make their money based on throughput – a machine that is idle doesn't make money. It is well known to the art to provide a time limit in which a player must make a decision in order to speed up play of the game. Falciglia teaches requiring the player to make a decision (i.e., make a selection) in order to speed up the game. (Col 7, 29-31) It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kojima in view of Falciglia to require the player to choose a payline within a particular time limit in order to speed play of the game, thus increasing casino profits.

**Claims 26 & 28:** Kojima teaches the invention substantially as claimed, but does not teach that the gaming machine is networked with at least one other gaming machine.

Falciglia teaches networked gaming machines via communication link. (Fig 2) Falciglia teaches that this allows play of a game among a plurality of players. (Col 2, 1-5) This increases the number of people who play the game. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kojima to include networked game machines as suggested by Falciglia in order to allow play of a game among a plurality of players, thus increasing the number of people playing the game.

**Claim 27:** Falciglia teaches that the networked gaming machines may be located in at least two mutually remote locations. (Fig 2)



**Claim 29:** Falciglia teaches that the gaming machine is operably coupled to a computer for conducting play of said reel-type slot machine game and wherein said gaming machine acts as a remote terminal (i.e., a dumb terminal) for communicating with said computer for play of said reel-type slot machine game. (Col 4, 56-65)

**Claim 36:** Kojima teaches a gaming system, with at least one gaming machine, comprising: at least one gaming device configured for generating at least one partial outcome and a final outcome in a reel-type slot machine game; a display device for displaying said at least one partial outcome and said final outcome of said reel-type slot machine game; and at least one player input element for selecting at least one pay line in said reel-type slot machine game subsequent to a display of said at least one partial outcome. Kojima does not teach a central server, wherein said central server is in operable communication with said at least one gaming machine. Networked gaming machines are well known to the art. Falciglia teaches networking gaming machines including a central server, wherein said central server is in operable communication with said at least one gaming machine. (Fig 2) Falciglia teaches that this allows play of a game among a plurality of players. (Col 2, 1-5) This increases the number of people who play the game. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kojima to include networked game machines with a central server, wherein said central server is in operable communication with said at least one gaming machine as suggested by Falciglia in order to allow play of a game among a plurality of players, thus increasing the number of people playing the game.

**Claim 37:** Falciglia teaches that the at least one gaming machine is a personal computer.

(Col 2, 65-68)

**Claim 38:** Falciglia teaches that said personal computer is operatively coupled to said central server through the Internet. (Fig 2)

**Claim 39:** Falciglia teaches a plurality of gaming machines, wherein said plurality of gaming machines are operatively coupled to each other and said central server, such that said central server is enabled to track winning combinations generated at each gaming machine of said plurality. (Fig 2 & Col 2, 1-5)

**Claim 40:** Kojima teaches said at least one gaming device comprises at least one microprocessor for generating said at least one partial outcome and said final outcome.

(Page 2)

**Claim 41:** Falciglia teaches that at least some of said gaming machines of said plurality are located at one or more sites remote from said central server. (Fig 2)

**Claim 42:** Kojima teaches said at least one gaming machine is further configured to enable a player to select said at least one pay line from a plurality of pay lines in said reel-type slot machine game. (Page 11)

**Claim 43:** Kojima teaches said display device is configured to display a plurality of windows arranged in rows and columns, said display of said at least one partial outcome comprises at least one of a row of windows, a column of windows, a random selection of at least one window and a selection by a player of at least one window, and said display of said final outcome includes all of said plurality of windows. (Figs 1-8, pages 3-11)

Art Unit: 3714

6. Claims 13, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kojima as applied to claim 12, 20 above, and further in view of Bridgeman et al. (US Patent 5,046,736).

**Claims 13, 21:** Kojima teaches the invention substantially as claimed. Kojima (page 11) teaches user input, but does not disclose how this is accomplished. Using touch screen to provide user input is well known to the art. Bridgeman teaches using a touch screen for user input. (Col 8, 36-38) It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kojima in view of Bridgeman to include a touch sensitive video display screen in order to provide a mechanism for user input.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corbett B. Coburn whose telephone number is (703) 305-3319. The examiner can normally be reached on 8-5:30, Monday-Friday, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on (703) 308-1806. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

  
cbc

  
JESSICA HARRISON  
PRIMARY EXAMINER